UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,949	09/23/2003	Osman Ahmed	2003P14526US	3299

7590 03/24/2006	EXAMINER
Siemens Corporation	ONI, OLUBUSOLA
Intellectual Property Department	

ART UNIT	PAPER NUMBER
2168	

170 Wood Avenue South
Iselin, NJ 08830

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/668,949	AHMED ET AL.
	Examiner	Art Unit	
	OLUBUSOLA ONI	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 September 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Application filed on 09/23/2003.

2.   Claims 29-33 and 34-55 have been withdrawn for consideration.

Election/Restrictions

3.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

    I.   Claims 1-28 is drawn to a method directed to access argumentation or

    optimizing, classified in class 707, subclass 2.

    II.   Claims 29-33 is drawn to a method directed to specific application,

    apparatus or process, classified in class 700, subclass 90

    III.   · Claims 34-55 is drawn to a method directed to application of database or

    data structure, classified in class 707, subclass 104.1.

The inventions are distinct, each from the other because of the following

reasons:

Inventions in Groups I-III are related are subcombinations disclosed as useable

together in a single combination. The subcombinations are distinct from each other if ·

they are shown to be separately usable. In the instant case, invention in Group I has

separate utility such as access argumentation or optimizing. See MPEP § 806.05(d).

Invention in Group II has separate utility and requires specific application, apparatus or

process. As well as Group III is distinct and to be usable separately. Because these

inventions are distinct for the reasons given above and have acquired a separate status

in the art as shown by different classification, restriction for examination purpose as

indicated is proper.

During a telephone conversation with Mr. Michael J. Wallace (Reg. No. 44,486) a

provisional election was made without traverse to prosecute the invention documents

editing, claims 1-28. Claims 29-33 and 34-55 are withdrawn from further consideration

by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicants are advised that the reply to this requirement to be complete must

include an election of the invention to be examined even though the requirement be

traversed (37 CFR 1.143)

Applicants are reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR1.48(b) if one

or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of the inventorship must be accompanied

by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-3, 5-17, 19-27 ~~1-28~~ are rejected under 35 U.S.C. 102(b) as being anticipated by Ben-

shachar, Ofer (Patent No. 5761656) hereinafter "Ben-shachar".

For claim 1, Ben-shachar teaches "a system for a building system application

comprising: a database" (Col. 4, lines 26); "a data provider interface for converting between

a common database access method and a database application programming interface

(API)" (Col. 3, lines 29-45, Col. 5, lines 3-12, fig. 2A&B); and "an application infrastructure

for coupling an application program to the data provider interface so that an application

having common database access method instructions may access the database through

the data provider interface" (Col. 3, lines 29-45, Col. 5, lines 3-19. fig. 2A&B).

For claim 2, this claim is rejected on grounds corresponding to the argument give

above for rejected claim 1 above. Ben-shachar "wherein the database is comprised of a

plurality of databases" (Col. 6, lines 57-59).

For claim 3, this claim is rejected on grounds corresponding to the argument give

above for rejected claim 2 above. Ben-shachar teaches "the database being comprised of

a real-time database" (Col. 4, lines 26-34, fig. 2A&B) and a data mart (Col. 5, lines 29-48,

fig. 3).

For claim 5, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Ben-shachar teaches "the application infrastructure further comprising: common components for application support" (Col. 1, lines 50-64, fig.1).

For claim 6, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Ben-shachar teaches "the application infrastructure further comprising: Web-based components for coupling an application to another application over the Internet" (Col. 4, lines 20-60, fig. 2A).

For claim 7, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Ben-shachar teaches "the application infrastructure further comprising: operating system communication components for coupling an application to another application through an operating system" (Col. 4, lines 41-50).

For claim 8, this claim is rejected on grounds corresponding to the argument give above for rejected claim 7 above. Ben-shachar teaches "wherein the operating system communication components communicate through a Windows operating system" (Col. 4, lines 41-50).

For claim 9, this claim is rejected on grounds corresponding to the argument give above for rejected claim 6 above. Ben-shachar teaches "wherein the Web-based ·

components couple an application to another application over the Internet through a

customer web portal" (Col. 5, lines 29-34, fig. 3).

For claim 10, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 1 above. Ben-shachar teaches "a configuration utility for

developing a file structure representative of a building system and for associating

configuration data with components identified in the file structure" (Abstract, Col. 2, lines 32-

39).

For claim 11, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 1 above. Ben-shachar teaches "a data collector interface for

coupling external data sources to the database" (Col. 5, lines 1-17.).

For claim 12, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 11 above. Ben-shachar teaches "wherein the data collector

interface converts data from the native format for an external data source to one that is

compatible with the database structure" (Col. 3, lines 28-45, Col. 5, lines 3-15).

For claim 13, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 12 above. Ben-shachar teaches "transaction services for

generating instructions for the database API to store the converted data in the database"

(Col. 5, lines 5-12).

For claim 14, this claim is rejected on grounds corresponding to the argument give above for rejected claim 11above. Ben-shachar teaches "a scheduling service for activating the data collector interface to interrogate the external data sources for data to be stored in the database" (Col. 3, lines 20-50).

For claim 15, Ben-shachar teaches " a method for supporting a building system application comprising: storing data in a database" (Col.4, lines 26); and "converting between common database access method instructions and database application programming interface (API) instructions for the database so that an application having common database access method instructions may access the database" (Col. 3, lines 29-45, Col. 5, lines 3-12, Col. 5, lines 3-19, fig. 2B).

For claim 16, this claim is rejected on grounds corresponding to the argument give above for rejected claim 15 above. Ben-shachar teaches "wherein the data are stored in a plurality of databases within the database"(Col. 6, lines 57-59).

For claim 17, this claim is rejected on grounds corresponding to the argument give above for rejected claim 15 above. Ben-shachar teaches "wherein the data are stored in one of a real-time database (Col. 4, lines 26-34, fig. 2A&B) and a data mart (Col. 5, lines 29-48, fig. 3).

For claim 19, this claim is rejected on grounds corresponding to the argument give above for rejected claim 15 above. Ben-shachar teaches "coupling common components to an application for communication support" (Col. 1, lines 50-64, fig.1).

For claim 20, this claim is rejected on grounds corresponding to the argument give above for rejected claim 19 above. Ben-shachar teaches "coupling an application to another application through a Web-based component for communication over the Internet"(Col. 4, lines 20-60, fig. 2A).

For claim 21, this claim is rejected on grounds corresponding to the argument give above for rejected claim 19 above. Ben-shachar teaches "coupling an application to another application through an operating system communication component for supporting application communication through the operating system" (Col. 4, lines 41-50).

For claim 22, this claim is rejected on grounds corresponding to the argument give above for rejected claim 21 above. Ben-shachar teaches "wherein the operating system communication component coupling includes coupling Windows-based communication component to the application" (Col. 4, lines 41-50).

For claim 23, this claim is rejected on grounds corresponding to the argument give above for rejected claim 20 above. Ben-shachar teaches "wherein the application

communication over the Internet communicates through a customer web portal"(Col. 5,

lines 29-34, fig. 3).

For claim 24, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 20 above. Ben-shachar teaches "developing a file structure

having components representative of a building system; and associating configuration data

with the components identified in the file structure" (see [Abstract, Col. 2, lines 32-39])

For claim 25, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 15 above. Ben-shachar teaches coupling external data

sources to the database" (Col. 5, lines 1-12).

For claim 26, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 25 above. Ben-shachar teaches "converting data from a

native format for an external data source to one that is compatible with the database" (Col.

3, lines 28-45, Col. 5, lines 3-15).

For claim 27, this claim is rejected on grounds corresponding to the argument

give   above for rejected claim 26 above. Ben-shachar teaches "generating instructions

for the database API to store the converted data in the database" ([Col.5, lines 1-12]

wherein using SQL could help update a database).

For claim 28, this claim is rejected on grounds corresponding to the argument

give above for rejected claim 27 above. Ben-shachar teaches "interrogating, on a

scheduled basis, the external data sources for data to be stored in the database" (Col. 3,

lines 20-50).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

7.   Claims 4 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Ben-Shachar, Ofer (Patent No. 5761656) in the view of Bakalash et al. (Pub No.

2005/0149491) hereinafter "Bakalash".

For claims 4 and 18, these claims are rejected on grounds corresponding to the

argument give above for rejected claims 3 and 15 above. Ben-shachar does not explicitly

teaches "the data mart being configured in one of a snowflake and star data organization".

However, Bakalash teaches "the data mart being configured in one of a snowflake and star

data organization" (see paragraph [0155], [0156], [0067], [0073] fig. 18A&B]).

It would have been obvious to one of ordinary skill in the art the time of the invention

to combine the teaching of Ben-shachar with Bakalash, wherein star schema is a means of

storing data based on a set of know database and database dimension. Star schema is

well known in the art for organizing data.

CONCLUSION

8.   The following prior art cited on the PTO-892 form, not relied upon, is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-

2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

OLUBUSOLA ONI
Examiner
Art Unit 2168

TIM VO
PRIMARY EXAMINER